

KNOX COUNTY COMMISSION

Regular Meeting

Tuesday – April 14, 2009 – 4:00 p.m.

The regular monthly meeting of the Knox County Commission was held on Tuesday, April 14, 2009, at 4:00 p.m., at the county courthouse, 62 Union Street, Rockland, Maine. Administrative Assistant Candice Richards was present to record the minutes of the meeting.

Commission members present were: Anne Beebe-Center, Commissioner District #1, Richard L. Parent, Jr., Commissioner District #2, and Roger A. Moody, Commissioner District #3. County staff present included: County Administrator Andrew Hart, Administrative Assistant Candice Richards, Finance Director Kathy Robinson, Airport Manager Jeff Northgraves, Communications Director Linwood Lothrop, EMA Director Ray Sisk, Jail Administrator John Hinkley, Chief Deputy Ernie McIntosh, Deputy John Palmer, and IT Director Jeff Lake.

Also present were: Kim Lincoln, reporter from the *Gazette Herald*; Bill Maddox, member of APAC, Kathy Allain, member of APAC; Chris Shrum from EMDC; John Newcomb from Downeast Air; Dave Miramant from Camden; John Eastman, member of the Knox County Flying Club; Brad Carter; and Marilyn Hotch, member of APAC.

Regular Meeting – Agenda **Tuesday – April 14, 2009 – 4:00 p.m.**

- I. 4:00 Meeting Called To Order**
- II. 4:01 Public Comment** - Public Comment during other portions of the meeting will only be granted by permission of the chair.
- III. 4:15 Consent Items**
 - 1. Approve Consent Items as Presented:
 - i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.
 - ii. Approve Minutes of Regular Meeting of March 10, 2009.
 - iii. Approve Minutes of Special Meeting Work Session of March 10, 2009.
 - iv. Accept Monthly Written Departmental Reports.
 - v. Approve Investment Withdrawals.
- IV. 4:20 Action Items**
 - 1. Act to Consolidate Reserve and Investment Accounts (K. Robinson, A. Hart).
 - 2. Act on Approval of Transfer of Forfeited Assets of \$1,758.05 (or any portion thereof) to Knox County in *State of Maine v. Dustin Stimpson* (D. Dennison).
 - 3. Act on Approval of Transfer of EMA's 2007 Shelter Support Trailer to the Special Services Unit of the Maine State Police (R. Sisk, A. Hart).
 - 4. Act to Require the EMA Director to Use His Personally Owned Vehicle for Routine EMA Business and Emergency Responses (R. Sisk).
 - 5. Act on Approval of Two Appointments to the PENQUIS Knox County Steering Committee (A. Hart).
 - 6. Act on Approval of Three Appointments to the Airport Public Advisory Committee (APAC) (J. Northgraves, A. Hart).
 - 7. Act on Approval of Job Description for Chief Information Officer/Chief Security Officer (A. Hart, J. Lake).
 - 8. Act on Approval of Revised Job Description for Technical Support Specialist (A. Hart, J. Lake).
 - 9. Authorize County Administrator to Sign Lease Agreement with Richards & Cranston (A. Hart).
 - 10. Authorize County Administrator to Negotiate a Purchase and Sale Agreement for a Drug Dog at the Sheriff's Office (A. Hart).
 - 11. Act on Approval of Change to Travel Expenses in the Personnel Policy (A. Hart).
- V. 4:50 Discussion Items**
 - 1. Presentation by the APAC Business Plan Sub-Committee (C. Shrum, J. Northgraves).
 - 2. Discuss Airport's General Consultant Agreement RFQ Process, Status and Update (J. Northgraves).
 - 3. Discuss Surrendering Knox County Airport Part 139 Certificate (J. Northgraves).
- VI. 5:20 Other Business**
- VII. 5:25 Adjourn**

I. Meeting Called to Order

Commission Chair Anne Beebe-Center called the April 14, 2009 regular meeting of the Knox County Commission to order at 4:00 p.m.

II. Public Comment

Commissioner Anne Beebe-Center asked for public comment.

Dave Miramant from Camden introduced himself as being from Camden. He stated that he noticed that public comment later on in the meeting is allowed only with permission from the Commission Chair. He stated that he was attending the meeting because of the discussions about the airport and wanted to know if he would be allowed to speak at that time.

Commissioner Anne Beebe-Center responded in the affirmative.

III. Consent Items

1. Approve Consent Items as Presented:

i. Approve Agenda - Non Agenda Items Only Permitted if Emergency in Nature.

ii. Approve Minutes of Regular Meeting of March 10, 2009.

iii. Approve Minutes of Special Meeting Work Session of March 10, 2009.

iv. Accept Monthly Written Departmental Reports.

v. Approve Investment Withdrawals.
- A motion was made by Commissioner Richard Parent to approve the consent items as presented. The motion was seconded by Commissioner Roger Moody.

Commissioner Roger Moody stated that he wanted to thank Finance Director Kathy Robinson for the financial report. He asked about a Communications line on the report that had “0 %” and asked if this was correct.

Finance Director Kathy Robinson stated that it was wrong.

- A vote was taken with all in favor.

Investment Withdrawals:

| | | |
|-------------------|-------------|-------------|
| Airport Computer | 46160814600 | \$136.77 |
| Dispatch Computer | 56180012605 | \$2,988.39 |
| Legal Expense | 20000812650 | \$12,722.80 |
| | Total | \$15,847.96 |

IV. Action Items

1. Act to Consolidate Reserve and Investment Accounts (K. Robinson, A. Hart).

County Administrator Andrew Hart explained that there were several reserve accounts that had set up for similar projects to the reserve accounts set up more recently. He stated that the finance director wanted to eliminate the accounts not being used anymore and to consolidate some other with the newer accounts of similar purpose.

| Existing Account | | | Existing Account | | | Revised Consolidated Account | |
|--|--------------|----------|------------------------------------|--------------|----------|---|----------|
| Account Name | Munis Acct | Amt | Account | Munis Acct | Amt | Suggested Name | Total |
| <u>Merge Similar Accounts</u> | | | | | | | |
| Courthouse Maintenance | 200008-12680 | \$3,896 | Courthouse Renovations | 200008-12690 | \$10,513 | Courthouse Maintenance and Renovations | \$14,409 |
| Jail Capital | 200008-12820 | \$75,756 | Jail Improvements | 200008-12830 | \$12,856 | Jail Capital, Renovations and Maintenance | \$88,613 |
| Sheriff Computer | 200008-12760 | \$15,827 | Sheriff Laptop | 200008-12780 | \$13,503 | Sheriff Computer | \$29,330 |
| Dispatch Miscellaneous Equipment | 561800-12625 | \$4,684 | Dispatch Renovations and Furniture | 561800-12635 | \$82,990 | Dispatch Renovations, Equipment & Furniture | \$87,674 |
| | | | | | | | |
| <u>Eliminate Accounts - transfer funding to General Fund</u> | | | | | | | |

| | | |
|------------------------------------|--------------|---------|
| Criminal Investigations | 200008-12630 | \$1,721 |
| Knox County Law Enforcement System | 200008-10090 | \$47 |
| Meridian Line | 200008-12640 | \$671 |

- A motion was made by Commissioner Roger Moody to approve consolidating reserve and investment accounts as presented. The motion was seconded by Commissioner Richard Parent.

Commissioner Roger Moody asked if department heads were consulted.

Finance Director Kathy Robinson stated that she did not consult the department heads for this but that they often contact her with questions of how to fund something. Merging one account into another was not changing what was available to the departments. It was just merging two very similar accounts into one. It poses no difficulty for the department heads; instead, it actually clarifies things.

- A vote was taken with all in favor.

2. Act on Approval of Transfer of Forfeited Assets of \$1,758.05 (or any portion thereof) to Knox County in *State of Maine v. Dustin Stimpson* (D. Dennison).

- A motion was made by Commissioner Roger Moody to approve the transfer of forfeited assets of \$1,758.05, or any portion thereof, to Knox County in *State of Maine v. Dustin Stimpson*. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

3. Act on Approval of Transfer of EMA's 2007 Shelter Support Trailer to the Special Services Unit of the Maine State Police (R. Sisk).

EMA Director Ray Sisk explained that the trailer in question, an 8 by 28 shelter support operations trailer received in 2007 with a homeland security grant, was determined to be too large for the County's use. The County has since then replaced it with two 7 by 14 portable trailers that are more appropriate in size. Part of the grant request for these smaller trailers was that if the grant was approved, the County would consider transferring the larger trailer to an agency that needed the trailer. The Maine State Police Special Services Unit has requested use of that trailer, so the request is to transfer that trailer to the Maine State Police.

Commissioner Anne Beebe-Center asked if there was any reason that the Commission should not transfer the trailer to them.

EMA Director Ray Sisk stated that there was no reason not to. The original trailer was about \$9,700.00 and the latest round of Homeland Security grants were comparable so the County would not be losing anything by giving the trailer to them. The County has instead gained the flexibility of the two smaller trailers.

- A motion was made by Commissioner Richard Parent to approve the transfer of EMA's 2007 shelter support trailer to the Special Services Unit of the Maine State Police. The motion was seconded by Commissioner Roger Moody.

Commissioner Roger Moody where do we store these?

EMA Director Ray Sisk stated that the 28 foot trailer is currently at the jail. The two replacement trailers are out behind the jail and are in the process of being outfitted and having the equipment transferred from the larger trailer. One will support the County animal response team, the small animal shelter team, and will most likely be stored at the humane society. The other small trailer will probably be stored at the jail.

- A vote was taken with all in favor.

4. Act to Require the EMA Director to Use His Personally Owned Vehicle for Routine EMA Business and Emergency Responses (R. Sisk).

- A motion was made by Commissioner Roger Moody to approve requiring the EMA Director to use his personally owned vehicle for routine EMA Business and Emergency Responses. The motion was seconded by Commissioner Richard Parent.

Commissioner Roger Moody asked if the personnel policy stated that the requirement for reimbursement for mileage is more than five miles.

County Administrator Andrew Hart answered in the affirmative and added that number 11 of agenda will be discussing that portion of the personnel policy in order to approve some changes, recommended by the Personnel Policy Committee, to that portion of the policy.

Commissioner Richard Parent asked if this particular request was strictly for the EMA director only.

County Administrator Andrew Hart stated that if the Commission voted to remove the five-mile requirement under Action number 11, it would apply to all County employees. This particular request from the EMA director would only apply to the EMA director, and not other employees. It is a separate issue from the five-mile requirement. He asked what position this would put the county in if the Commission approved the EMA director's request.

Commissioner Richard Parent stated that the request is saying that until the County provides the EMA director with a County vehicle, he will have to use his own.

County Administrator Andrew Hart stated that most other County employees, other than the Sheriff's Office, have to use their own vehicle while traveling for County business.

Commissioner Anne Beebe-Center asked Director Sisk if he had been using his own vehicle up until now.

EMA Director Ray Sisk stated that he had been using his own vehicle. The basis for his request was that he found something out when he did his taxes. His tax consultant advised him that unless his employer requires him to use his personally owned vehicle for doing his job, the excess expenses beyond what the mileage reimbursement covered, cannot be claimed on his taxes. If the County requires him to use his own vehicle, those extra expenses then become eligible to be tax deductions. In 2008, he had a \$500.00 difference between total expenses and mileage reimbursement. He added that this would just grant him a piece of tax relief for using his own vehicle for County work.

Commissioner Roger Moody stated that he did not understand. He stated that the County is paying the IRS rate for mileage reimbursement, which is currently \$0.55 per mile.

EMA Director Ray Sisk stated that he was looking to get the difference per mile of what the IRS mileage reimbursement rate is, and what he actually spends per mile (for insurance, maintenance, and fuel) for the use of his vehicle. His expenses are about \$0.70 per mile for using his vehicle.

Commissioner Anne Beebe-Center what kind of president is being set if the Commission mandated a department head to use his own vehicle, as opposed to all of the department heads who use County vehicles.

County Administrator Andrew Hart stated that he was not really sure. He asked if it was really a requirement of the County to do this. It was a suggestion from Director Sisk's tax consultant.

Commissioner Richard Parent stated that the County was already requiring Director Sisk to do what he was asking to be allowed to do. He is already being required to use his private vehicle.

Commissioner Anne Beebe-Center asked it would be possible to find out more about what the ramifications would be if this was approved. She stated that she did not really understand what the ramifications are.

EMA Director Ray Sisk stated that his position is unique in the County because his role and responsibilities requires him to do more travel and onsite response than other employees, with the possible exception of the Sheriff's Office, which is provided with County vehicles. It is critical County business that he is doing when he travels. He added that this was just a person request for him alone, that he was not expecting to set a president, and that he was just asking for the tax relief.

Commissioner Anne Beebe-Center asked if the Commission could set a threshold so that not all County employees could do this. She added that it might be a matter of having more than a certain number of miles per year.

EMA Director Ray Sisk asked if Commissioner Anne Beebe-Center was suggesting that he would be paid a stipend for the difference in costs.

Commissioner Anne Beebe-Center stated that this was not where she was going. She stated that she was thinking along the lines of setting a threshold of so many miles so that if an employee went over that threshold, they would be separated from the other employees because of the nature of their job.

EMA Director Ray Sisk stated that the County could do that, but that he was not sure if it was worth the county doing that. He stated that he has been conservative with mileage budgeting and has tried to keep his mileage low. He added that his travel is not costing the County much but it is costing him.

Commissioner Roger Moody stated that he was inclined to approve the request. He stated that he could not imagine any other County employee having this issue except maybe the county administrator. He stated that he wanted to be fair but that it may take more research.

EMA Director Ray Sisk commented that the use of a personal vehicle should be infrequent and incidental, not routine and every day. His use of his personal vehicle is routine and every day.

- A vote was taken with all in favor.

5. Act on Approval of Two Appointments to the PENQUIS Knox County Steering Committee (A. Hart).

- A motion was made by Commissioner Roger Moody to reappoint Commissioner Anne Beebe-Center and Representative Ed Mazurek to the PENQUIS Knox County Steering Committee. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

6. Act on Approval of Three Appointments to the Airport Public Advisory Committee (APAC) (J. Northgraves, A. Hart).

Airport Manager Jeff Northgraves every year three of the nine positions on the Airport Public Advisory Committee term out. The three seats this year are the District 3, Environmental, and Business seats. All three individuals, Jim Kierstead (District 3), Kathy Allain (Environmental), and Bill Maddox (Business), currently in those seats are interested in continuing on. He stated that he had received input from Camden, South Thomaston, and the Pen Bay Chamber of Commerce. Each recommended that the individuals already in the seats continue. The bylaws to allow individuals to serve two terms but they cannot serve three consecutive terms. There was only one other individual that expressed an interest in the District 3 seat, and that was Candy Johanson. The APAC has recommended reseating all three; although, there was one dissenter, and that was based on the bylaws recommending that the APAC try to have new people become part of the APAC. He stated that he recommended reseating all three individuals currently in those seats.

- A motion was made by Commissioner Richard Parent to reseat all three. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

7. Act on Approval of Job Description for Chief Informational Officer/Chief Security Officer (A. Hart, J. Lake).

- A motion was made by Commissioner Roger Moody to approve the job description for the Chief Informational Officer/Chief Security Officer. The motion was seconded by Commissioner Richard Parent.

Jail Administrator John Hinkley asked to speak. He stated that he had not seen the proposed job description before the meeting and that he had one concern with it. He stated that in the job description where it refers to whom the CIO/CSO is responsible to, it only says the County Administrator. He stated that he believed that the CIO/CSO should also be responsible to the Sheriff because of the law enforcement data base information. The jail also has confidential medical information which should bring the CIO/CSO under the direction of the Sheriff and the Jail Administrator. For some of this information, no one statutorily has access to it except for the Sheriff and the Jail Administrator. He stated that this should be reflected in the job description.

Commissioner Anne Beebe-Center asked if that information was any different than the medical information in the Finance Department or the Administrative Office.

Jail Administrator John Hinkley stated that it was different.

Commissioner Anne Beebe-Center asked for comment from IT Director Jeff Lake or County Administrator Andrew Hart.

IT Director Jeff Lake stated that the agenda item should be tabled so that it could be researched.

- Commissioner Roger Moody withdrew his motion. Commissioner Richard Parent withdrew his second of the motion.
- Commissioner Richard Parent motioned to table the job description for the Chief Information Officer/Chief Security Officer. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

8. Act on Approval of Revised Job Description for Technical Support Specialist (A. Hart, J. Lake).

- A motion was made by Commissioner Roger Moody to approve the revised job description for Technical Support Specialist. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

9. Authorize County Administrator to Sign Lease Agreement with Richards & Cranston (A. Hart).

- A motion was made by Commissioner Richard Parent to authorize the county administrator to sign the lease agreement, as presented, with Richards, Cranston & Chapman. The motion was seconded by Commissioner Roger Moody.

County Administrator Andrew Hart stated that the contract had changed a little from the previous one. The County requested a certificate of liability insurance and changed the contract to more accurately reflect the name of the business from Richards & Cranston, to Richards, Cranston, & Chapman, Inc. Don Richards will be signing as the president of the corporation. The rental fee was also increased by five percent.

Commissioner Roger Moody asked if the documents being kept up in the rented space was secure. Anyone can walk up to where the cabinets are at the top of the stairs. He asked if there was the possibility of a liability issue.

County Administrator Andrew Hart stated that the cabinets are locked but a lot of what is up there are just working documents. Don Richards keeps the final documents at his main office at another location, so it is not really a risk.

- A vote was taken with all in favor.

10. Authorize County Administrator to Negotiate a Purchase and Sale Agreement for a Drug Dog at the Sheriff's Office (A. Hart).

- A motion was made by Commissioner Roger Moody to authorize the county administrator to negotiate a purchase and sale agreement for a drug dog at the Sheriff's Office, a Labrador retriever named Jake. The motion was seconded by Commissioner Richard Parent.

Commissioner Richard Parent commented that he had spoken with an official from another county who used to have a drug dog but got rid of it because it turned out that the State had a lot of drug dogs. The State will bring a drug dog to the county anytime a county wanted to use one.

Deputy John Palmer stated that State drug dogs can often come from a long distance so it causes a delay. He stated that as the handler for his dog, even though he lives four miles outside the County, he would be willing to come out any time of day with his dog. He added that the State dogs are usually German Shepherds, which are known for being aggressive dogs, not narcotic dogs.

Commissioner Anne Beebe-Center asked what kind of insurance the County has for this. A drug dog would be an "employee" of the County.

County Administrator Andrew Hart stated that a drug dog would be covered through the MCCA Risk Pool as long as the dog is doing the law enforcement activities that it was assigned to do. The problem a lot of counties have run into is if the dog does something, such as bite someone, while off duty. Deputy Palmer's homeowners insurance would have to cover that. If Deputy Palmer is off duty, then dog is off duty. There have been some problems with German Shepherd narcotic dogs guarding their owner's home and biting someone while off duty. If Deputy Palmer's homeowners insurance will not cover it, then the Risk Pool is listed as secondary. If the

Risk Pool covered it, they would try to get their money back from the primary for reimbursement.

Commissioner Anne Beebe-Center asked if the County actually needed a drug dog.

Chief Deputy Ernie McIntosh stated that the County definitely needs a dog. The County has a severe, ongoing problem with drugs. He added that he has met Deputy Palmer's dog. Jake is very well tamed and would be a resource to the County.

Jail Administrator John Hinkley commented that the dog could also be used at the jail.

- A vote was taken with all in favor.

11. Act on Approval of Change to Travel Expenses in the Personnel Policy (A. Hart).

County Administrator Andrew Hart stated that as discussed during Action agenda item #4, he was asking to make a change to the personnel policy based on recommendations by the Personnel Policy Committee. He stated that one part of the recommendation was to remove a sentence from Section 4.18 Travel Expenses:

"Payment of travel expenses conducted in association with County business is allowed to and from the County seat by all County employees and officials for more than five miles from the County seat."

Some additional language was recommended to be added to the section:

"Any employee requesting reimbursement for work related travel must have prior approval from their department head. An employee who elects to use their private vehicle when a county-owned vehicle is made available by the department head will not be eligible for reimbursement."

Another part of this section of the personnel policy refers to the reimbursement for cost of meals. It used to be up to the department head what meal reimbursement amount was acceptable, which mean that each department head was approving different amounts. In the revised version of this section, specific reimbursement amounts are stated for breakfast, lunch, and dinner.

"When outside of the County seat on official business, reasonable expenses will be allowed for all necessary traveling and hotel expenses including the cost of meals (excluding alcoholic beverages) connected with those activities, with prior approval from the department head. Reimbursement for meals will be the lower of the actual cost or \$8 for breakfast, \$11 for lunch, and \$27 for dinner (per person). Detailed receipts must be submitted and attached to the travel reimbursement form and submitted through the department head to the Finance Office for processing for reimbursement. Prior approval from the department head is required if the above amounts are to be exceeded."

County Administrator Andrew Hart stated that the personnel policy had been reviewed by the Personnel Policy Committee as a whole document, but having it approved was put on hold because of union contract being negotiated. The two documents need to match so he wanted to wait until the union contract was completed. He added that since the issue of travel expenses had come up, he wanted to have this particular section approved now. Something that the Commission needed to be aware of was that this change was not built into the budget; however, not many departments will see any impact from the change. It will most likely be the Administration Office that sees an increase because of the IT staff traveling between the courthouse and the Sheriff's Office/Jail on Park Street, which is less than five miles. It could potentially be an increase of \$500 to \$700, which can be covered in the current budget.

Commissioner Anne Beebe-Center asked if there were any expenses that the budget would not be able to cover.

County Administrator Andrew Hart stated that he was not aware of any.

Finance Director Kathy Robinson stated that it was going to be up to the department head to project what that budget line would increase, and then determine what can be done and transfer from another line if it was going to go over. EMA will probably see an increase in mileage from this change as well.

- A motion was made by Commissioner Richard Parent to approve section 4.18 of the personnel policy as presented. The motion was seconded by Commissioner Roger Moody. A vote was taken with all in favor.

V. Discussion Items

1. Presentation by the APAC Business Plan Sub-Committee (C. Shrum, J. Northgraves).

Airport Manager Jeff Northgraves explained that Chris Shrum was going to be setting up a PowerPoint presentation. The APAC Business Plan Sub-Committee has been meeting for over a year. They have reached the point where they are ready to start putting words into a document and call it a business plan. He stated that before they take that step, the sub-committee wanted to make sure that they were headed in the right direction. They have outlined what they are calling the Mission, Vision, Values, and Guiding Principles for the airport. This would translate into a business plan. This presentation is to get a head-nod from the Commission that the sub-committee is headed in the right direction. He stated that he did not need a formal vote. He added that members of the Airport Public Advisory Committee were in the room.

Commissioner Anne Beebe-Center stated that she would invite them to volunteer information as the discussion progressed.

Chris Shrum stated that this was a process that has been going on several months. He stated that he has taken on the process over the last three or four months, and been working with the sub-committee on the business plan for the airport. He stated that when he does business plans, he likes to focus on mission, vision, values, and guiding principles. These served as the directives for this group moving forward and helped to shape the business plan. All of the assumptions of the business plan are based on the Mission, Vision, Values, and Guiding Principles. He stated that he would be going over these, as well as the next steps. The following is the PowerPoint presentation, which was read almost entirely verbatim:

Knox County Regional Airport Mission, Vision, Values and Guiding Principles

Setting the Stage for the Future Prepared by Knox County Regional Airport Business Plan Sub-Committee

Business Planning

- Future Oriented – 5 Year Minimum Outlook
- Strategic Direction
- Market Opportunities
- Product/Program Definition and Positioning (Do we want to invest in projects? Products?)
- Financial Projects

Mission Statement

To provide the safest and most reliable air transportation services and facilities for the residents, businesses, and visitors of the greater Knox County and Penobscot Bay region and island communities.

To offer passenger and freight transportation, mail delivery, medical and emergency services, as well as general aviation support. To provide these services in the most efficient, fiscally responsible and environmentally safe manner while continuing to be a good neighbor to the adjacent communities.

To conduct Knox County Regional Airport's operation and management ethically and transparently with the utmost respect for the community within which the airport is located.

Themes the sub-committee has focused on:

- Safety
- Reliable air service
- For the residents

- Visitors
- It's a business
- Service to the island communities

Vision Statement

Operating within the existing physical boundaries, the Knox County Regional Airport will serve the economic development interests of Maine and the mid-coast region while operating a safe, aesthetically pleasing facility that will realize new energy solutions and make the region's environmental protection a high priority.

Values

The County...

- Strives to operate a model airport in regards to facilities, airport operations, and environmental stewardship that other regional airports and businesses look to for best practices. (Have the opportunity to set the standard by being the best.)
- Recognizes the environment plays a fundamental role in determining future airport operations.
- Strives to incorporate "green" technology in all aspects of airport operations.
- Believes the airport's built environment should be aesthetically pleasing and complement the region's "sense of place". (The airport serves as a gateway to the community.)
- Is committed to managing and minimizing growth of the airport's physical space.
- Will minimize direct taxpayer support of airport operations while recognizing that some amount of public subsidy may be needed. (This is greatly debated across the country. Essential service is needed to island communities. The market economy does not always pay for service. Public Subsidy may be needed to pay for EAS.)
- Recognizes airport services are a critical economic and social resource to the island communities.
- Strives to maintain an adequate level of scheduled commercial service that sustains the airport's economic viability. (It is a *commercial* airport.)
- Believes that the region's economic vibrancy is linked to effective airport operations. (Link to Boston and other airports. Private pilots supply goods to local businesses here.)
- Appreciates its relationship with the community and will include and consider economic, environmental, and social interests in managing airport operations.

Guiding Principles: Physical Boundary and Size

- The current Inter-local Agreement regarding the boundary (physical space) of the airport will remain in place until 2021, and as such, any future plans for the Airport must take that agreement into consideration.
- The vision for the future of the Airport is to remain within the current boundaries, unless expansion beyond the current boundary is mutually beneficial to the surrounding communities, the county, and the Airport.
- If growth occurs at the airport, it will be modest growth, and environment concerns must be addressed.

Guiding Principles: The Environment

- It is logical to conclude that there is some level of aquifer activity likely underneath the current Airport site. (Water is a critical resource and we do not want to negatively impact that.)
- Impacts to the aquifer, as well as the impact of impervious surfaces at the Airport, must be incorporated into any plans for future development or maintenance at the Airport.
- Any future plans for development or maintenance at the Airport will also take into consideration environmental impacts, such as: air quality; ground water quality and quantity; noise; and preservation of the ecological values of the Weskeag River and marsh.
- The future Knox County Airport should strive to be a state of the art, model “green” airport – we can protect and improve the environment while also attracting businesses and visitors.

Guiding Principles: General Operations

- The Airport should try to explore new energy solutions and use of emerging technologies. (Have been looking at new technologies, such as solar power.)
- The Airport will not become a commercial “reliever” airport.
- The Airport must have aesthetically pleasing Terminal Building/Facility. Special attention will be paid to the overall “sense of place” and design quality in any new or expanded Terminal facility that may be developed.
- The needs of the Airport, into the foreseeable future, can be accommodated within the current two (2) runways – however, runway length issues may be considered. (If the runways are extended, there are growth possibilities for business growth, particularly with fuel sales).
- We do not anticipate any larger or louder aircraft using the Airport than have used the facility in the past.
- The Airport will explore opportunities to provide educational programming at the Airport facility, with an emphasis on operational best practices and exemplary environmental stewardship, etc.
- Every effort will be made to maintain an adequate number of scheduled commercial flights per day to accommodate the current and future needs of the Knox County region.

Guiding Principles: Economic Impact

- The Airport should support and promote both the Maine and Knox County “brand.”
- The Knox Country Airport is a vitally important part of the regional economy.
- Future plans for the Airport may have a significant positive impact on the long term vibrancy, sustainability and appropriate growth of the regional economy.
- Negative impacts to the regional economy must also be thoroughly considered when developing plans for the future of the Airport. Potential negative impacts to the regional economy include such considerations as:
 - The potential cost to the County of un-used or underutilized facilities;
 - The cost to remediate environmental damage, if it should occur;
 - The potential loss of eco-tourism if the Weskeag River and Marsh area are damaged or compromised;
 - The potential loss or reduction of tourism if the overall physical attractiveness of the Region is compromised.

Business Plan Next Steps

- Establish Key Assumptions (continual process)
- Define Measurable Goals and Objectives (over next five years)
- Market Research
- Airport Operations (efficiency, cost effectiveness)
- Product/Program Development
- Capital Improvement Plan
- Financial Projections/Pro Formas

Chris Shrum asked if there were any questions or comments.

Dave Miramant stated that the presentation was quite long and that some of the statements are so ambiguous that they do not give a clear idea of what they really mean. There are a lot of pieces that do not seem to be connected. Just because something is repeated several times does not mean it provides clarity on the subject. He stated that if any presentation were going to be put before the public, it would be better if it were really clear. It is already built into statute, Federal law, and FAA regulations. Before any improvements can be made, all of these things have to be met and taken into account as the process goes forward. The Commission should take the opportunity to hear a lot of public voices and comments, and all things should be considered. The presentation could be refined a little bit more.

Airport Manager Jeff Northgraves stated that when you take mission vision, you are looking at a huge thing and then you hone it down into a mission statement. You then hone it down further into guiding principles, which is a little bit more specific, and then into assumptions. The presentation is repetitive because the guiding principles were done first, before Chris Shrum became part of that process. When Mr. Shrum got involved, he instructed them that they should have their values drive their guiding principles. What this means is that the process had been done backwards; the sub-committee had created the principles first, and then the values. If it had been done in the right order, it would have become increasingly more refined. The next step is the assumptions, which get down to the very specifics, and take your values and bounce them against your assumptions. Mr. Shrum had used hangars as an example. The question would be, does Knox County build the hangars, or are we going to make land available for someone else to come in and build hangars. Either is a different way of approaching the future, but the County has to make decisions before the future gets here. Values can help the County move one direction or another. He stated that he wanted to add that the aviation business is as over-regulated a process, every step of the way, as there possibly could be. There is a lot of oversight. Building a business plan where you actually treat the airport as a business this is a key first step. It is the process that is important, almost more than the product.

Mr. Miramant stated that he just did not want the information to be so ambiguous that someone with an idea will assume that the community will not understand or want to support the airport. The environment at the airport is doing well so far. There are some improvements that can be made at the airport without negatively impacting the environment. The public does not always understand what the impacts are going to be, and can sometimes just assume it is going to be negative when it could be positive, so it would be unfortunate to have statements be unclear because it can cause misunderstandings.

Mr. Shrum stated that it is like a funnel. The subcommittee started out with a mission and worked down to assumptions, but have not made it down to the bottom of the funnel yet, where there will be measurable goals with benchmarks to hold the County accountable to. Things are still being shaped and defined. Eventually, there will be a very specific plan to follow with a time line.

Marilyn Hotch stated that the sub-committee discussions have been very productive and they were able to set down on paper the things that the members were all concerned about, which included environmental concerns. Problems have been solved in the past by collaboration and making changes. Now that the guidelines and principles are down in print, the committee can talk about concrete stuff to narrow it all down. There needs to be an airport that is quiet, compliant, and safe. It is a balance and it is done with the help of environmental agencies

Bill Maddox stated that he agreed with what Mr. Miramant had said. There is a lot of statutory law concerning the environmental. Any building project that would require an environmental impact statement would not necessarily trigger some of the things in the business plan. The environment is not meant to be a negative factor in the business plan. The physical boundary of airport should also not be considered a constraining factor if an appropriate plan could be presented to include increased safety at the airport. The APAC is very environmentally conscious and striving for a model green airport. The plans for the terminal building incorporate all of this.

Commissioner Roger Moody stated that he endorses the process that had been established by prior Commissions. He added that he appreciates the leadership of the APAC and the sub-committee. It is a long process but it will eventually get down to specifics and result in a great product.

Bill Maddox commented that he wanted to highlight something that had been stated earlier. He stated that the Knox County Airport is not a polluting airport and that it is important that it stays that way. It needs to be emphasized because there may be some members of the public who do not know this.

Kathy Allain stated that there will be a public process and public input as this goes along. There will be opportunities for the public to speak, voice opinions, and evaluate the plan.

- A motion was made by Commissioner Roger Moody to endorse the continuation of the present process in its current direction and provide all possible support to the committee. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

John Eastman of the Knox County Flying Club stated that he wanted to acknowledge the environmental concerns because the Knox County Regional Airport had gone through a rough patch, but that these issues are being resolved nationally, regionally, technologically, and socially. The airport can be a real magnet. He stated that he had personally hosted the International Swift Organization which consisted of two-dozen aircraft landing at the airport as they traveled across New England for an event. The group left a lot of money behind. There are opportunities to expand the use of the airport without detracting from the community values and assets. The real liability would be a real accident like a plane crash and/or loss of life. Have to be resilient and managed enough to minimize the unanticipated hazards.

2. Discuss Airport's General Consultant Agreement RFQ Process, Status and Update (J. Northgraves).

Airport Manager Jeff Northgraves stated that he wanted to update the Commission on where the County is in the process. The Maine DOT and the FAA have put a reemphasis on this process and have written some very specific guidance for this. A lot of it is mandated so there is not a lot of options in it for the County to choose. A requirement has also been changed. In the past, it was strictly FAA guidance and the County had options regarding having consultants doing inspections. The last RFQ was done in 2004, under the old rules. At the time, Dufresne-Henry (which became Stantec) was hired with the understanding that they would have a five-year contract with the County to design projects, and then an additional year after that to complete those projects. The new requirement is that the contract is a five-year total, which means four years to plan, with a year to complete projects. When Maine DOT started putting the packages together at the end of last year, they panicked because they thought Knox County was out of compliance because Knox was already into the fifth year of designing, when they thought Knox should already be in the execution of the projects. Maine DOT was trying to immediately get Knox County to do the RFQ and after a lot of conversation, they were hopefully convinced that Knox County is right on schedule. Having County Administrator Andrew Hart approve the release of the RFQ instead of waiting until this Commission meeting was great because it gave the process some additional time. There will be a board to look over the responses that are submitted in response to the RFQ. Mr. Northgraves stated that he knows of four consultants that plan to submit responses, including Stantec. The APAC has volunteered to board it as a whole, which is a good option because we are required to have a board review the responses. The board needed to be a minimum of three people. Technically it could have been the Commission that did it, but it adds to the process to have a separate board make a recommendation to the Commission.

Commissioner Anne Beebe-Center asked if the APAC will they make a single recommendation or offer a second option as well.

Mr. Northgraves stated that the Commission could choose how they wanted it to be done. The process that the DOT has created has grading criteria that goes along with it, so there will be someone that scores the highest, and someone in second place. If the county administrator is available that day, he may be interested in being part of that board. Mr. Northgraves stated that he envisioned having the board meet and grade each submission, which is a 30-page document with attachments. It will take the board a while to go through all of that material. The board will then come out with scores for each one and with a recommendation, which will be presented to Airport Manager Jeff Northgraves. He will then look the information over and make his own recommendation. The county administrator will then make his recommendation as well. At that point it will go before Commission at the June Commission meeting.

Commissioner Anne Beebe-Center asked if a grading process is done, would not the Commission be compelled to make a certain choice.

Airport Manager Jeff Northgraves stated that the board is just making their recommendation. The Commission still has to make its own choice.

Commissioner Anne Beebe-Center asked if the Commission would have enough information to understand the differences, or pros and cons, between the submissions.

Airport Manager Jeff Northgraves responded in the affirmative.

Commissioner Roger Moody asked if the board will hold interviews.

Airport Manager Jeff Northgraves responded that prior to four years ago, all of the submitters were interviewed and allowed to present their plan. Over the last several years, things have moved away from that because of the boarding process with interviews. In 2005 the FAA rewrote their guidance and it included this boarding process. Before that, it had been pretty much open to choose the procedure. Now that the boarding process is in there, the consultants are brought in for interviews only less than half of the time. If consultants are brought in for interviews, it is usually only two or three of them. If the grading is really close, that is when the consultants would be brought in for interviews. Mr. Northgraves stated that he did want to state that he is currently having no problems with Stantec but that it is important to see what is out there and to follow the process. It is also a good opportunity for the APAC to see what the different engineering firms bring to the table. Whoever wins the contract becomes a critical partner in the processes of the airport.

3. Discuss Surrendering Knox County Airport Part 139 Certificate (J. Northgraves).

Airport Manager Jeff Northgraves stated that he was hoping for a discussion. He added that he would rather not offer his own opinion. He stated that he had prepared some information for the Commission to review to help decide which direction to go in. In 2004, the County was not given a choice about being Part 139 certified; it was mandated. Knox County, along with some other counties, brought in their congressional representation to try to battle the FAA so that we would not be required to be Part 139 certified. At the time, they were able to convince the FAA to back off with some of the requirements that they were putting on small airports, but it has been a long, painful process. In 2004 Knox County was not required to be Part 139 Certified, but in 2005, we were. It puts a burden on the airport manager and his staff, as well as the rest of the airport. There are safety benefits to it. The reality is, every inspection that has been done has said that there has been 3 to 10 discrepancies/write-ups and the airport was given 30 days to fix them. The airport was scheduled for the next inspection in March and FAA headquarters has sent down changes the rules. Inspectors will no longer be able to write a letter suggesting changes so that it can be corrected to their satisfaction. Instead, it goes straight to the FAA headquarters and comes down as a legal action. In almost all cases it will result in fines. There is another airport in almost an identical situation as Knox County and they are facing a \$99,000.00 fine. It was for everything from small things, to problems that are pretty substantial.

Commissioner Anne Beebe-Center asked what the purpose of that is.

Airport Manager Jeff Northgraves stated that FAA legal looked at it and said that the written ACM is a legally binding document between the airport and the FAA. If the airport is doing anything outside of that ACM, the airport is violating the law and the inspectors cannot allow the airport to continue violating the law, even for 30 days. It was a legal decision that came down from the FAA headquarters. The FAA inspectors called and said that they have not figured all of this out, including the implications of it. Mr. Northgraves stated that he asked them for a range of the possible fines but they were unable to give him that information because the whole thing is still too new. The FAA recommended that Knox County put off the upcoming inspection until this is resolved. Knox was going to be the next airport to be inspected, but now it will be put off, tentatively until May.

Commissioner Anne Beebe-Center asked if the airport has benefited from the inspections.

Airport Manager Jeff Northgraves replied in the affirmative. He stated Knox County is no longer required to be Part 139 Certified because of the switch to Cape Air, which uses smaller aircraft that falls below the requirement.

Commissioner Anne Beebe-Center stated that Knox County will have Cape Air for two years. She asked what would happen if the County did not have Cape Air after that time is up.

Airport Manager Jeff Northgraves stated that this is part of the debate. One of the hardest parts of backing away from the certification is that it gives the impression to our customers that the airport is going backwards, instead of progressing. The airport is still going to continue using the ACM, rewriting the wildlife portion of it, and doing inspections, there are things that are done because of the inspection and/or because there are fines hanging over our heads. These things might have less priority if there are no repercussions for not getting them done. On the FAA side, if they do not need to give us inspections but are, and the FAA made cutbacks, they may not be so willing to come do inspections anymore.

Commissioner Richard Parent asked if the certification has any bearing on funding that the airport receives.

Airport Manager Jeff Northgraves stated that Part 139 airports do get a higher priority in discretionary funding. It does not impact the million dollars a year; that is based on passengers. When the parallel taxiway was worked on the last two years, the airport received several million dollars of discretionary funds. Lewiston/Auburn was doing almost the exact same project, and if they had run out of funds at the same point as Knox County, the Knox County Airport would have received the funds instead of Lewiston/Auburn because they are not Part 139 Certified and Knox County currently is. There are projects in the future that are going to need discretionary funding. Probably in three years from now the County is going to have to redo the main runway and that will require discretionary funds. It is directly tied to safety, which is what discretionary funds are for. The odds are that the County would still compete very well for that money even without the Part 139 certification. Almost all of the other safety projects are already taken care of. The runway safety area needs to be longer, which is a high priority with the FAA. When the County finishes the wildlife study, it is almost certain to require fencing around the airport. That is very expensive and will have to be funded through discretionary funds. If Knox County lost the Part 139 certification, that money would be lost.

Commissioner Anne Beebe-Center asked what it would take to get Part 139 certified again if the County let it go now.

Airport Manager Jeff Northgraves stated that if the County keeps doing inspections and everything that is currently being done, it will be a really straight-forward process. He added that he did not want to over-sell giving up the certification. The APAC has discussed this quite a bit at their last meeting. He stated that the sense that he got from the APAC was that their concern were the safety issues. Being Part 139 Certified puts into place best practice and procedures that ensure to the customers and the aviation community that this airport is not only maintained, but that it is maintained in a safe manner and meets mandates specific requirements. If we are no longer certified, it would still give the impression that the airport has taken a step back and have become an unsafe airport, even if everything continued as before.

Commissioner Anne Beebe-Center asked if there was a way to prevent the public from having this misconception.

Airport Manager Jeff Northgraves stated that the County could advertise and get the information out there. Fred Newcomb from Owls Head would see the impact from the change more than anybody else. There are also some aircraft that specifically land here because the Knox County Airport is Part 139 certified. Even if it is just one aircraft that stops coming, that can be the loss of a lot of money in fuel sales.

Commissioner Anne Beebe-Center asked how long the County had to decide.

Airport Manager Jeff Northgraves stated that he was told eighteen months since the last inspection, which was July of 2008. This would give the County possibly until January of 2010, but inspections are rarely done in January. It could end up being November or December of 2009 instead. He stated that he could try to push off the inspections for as long as possible. If the County keeps the certification, it will require an increase in staff, probably in the form of one full-time person, which is an increase in costs. The APAC feels that it is important to maintain safety and to continue having a “third set of eyes” keeping an eye on the airport.

Commissioner Anne Beebe-Center if the Airport Managers Association had been having any discussion of pooling resources to provide a “third set of eyes” to the airports instead of using FAA consultants for inspections.

Airport Manager Jeff Northgraves stated that this had not been discussed before at the meetings of the Airport Managers Association. In the past, the Maine DOT had provided a “third set of eyes” for the non-certified airports, but the DOT has made changes to their office and now there is no one qualified to inspect airports. Most airports avoid regulation and oversight. He stated

that the AMA will be meeting at the end of the month and that he would bring the topic up. He added that Knox County is the only airport in the State of Maine faced with this choice. The airport facing the \$99,000.00 fine is considering surrendering their certification because they are not required to be certified. That airport is also watching Knox County to see what decision is made here before making their own decision. Since that airport was certified at the time that the fine was handed down to them, they are still required to pay the fine even if they let go of their certification. One option that the FAA may take is to pull an airport's certification instead of fining them.

Commissioner Anne Beebe-Center stated that there was time to learn more so a decision did not need to be made today. She asked if we figure out what we need to weigh so we still have a safe airport and not lose business because of the appearance of not having a safe airport.

Commissioner Roger Moody asked if the Commission could get copies of the job descriptions for the airport employees as part of the analysis of the airport.

John Eastman, from the Knox County Flying Club, stated that the FAA has not just changed the rules on us; they can also now draw blood. He asked Mr. Northgraves if the lack of discretionary funds would prevent the airport from getting replacement equipment in a timely fashion. He also commented that it will be hard to replace Bill O'Brien because of his vast knowledge and skills. He will be extremely hard to replace when he retires.

John Newcomb from Downeast Air, a private aviation organization that fuels and parks aircraft, stated that he is concerned about the loss of sales of fuel. There are already some pilots that do not want to come to the Knox County Airport because of the shorter length of the runways. Fuel is 90 percent of their revenue. There may be more pilots who will refuse to come here if the County is no longer Part 139 Certified. People will not look at the County or airport website even if there is information on there about the airport being just as safe as it always has been. Instead, they will look at the FAA's site and will see that the airport is not certified and decide to go elsewhere. He stated that the airport has come a long way in five or six years. If the County loses the certification, to the outside world, it will be a step back.

Dave Miramant stated that the County does not want to do anything that will have the airport move backwards. Losing certification is going in the wrong direction. Plane owners and airlines will not like it. The County needs to continue moving forward to becoming a first-class airport.

Kathy Allain stated that the Business Plan sub-committee looked at staffing numbers for the airport and that this is only the beginning of the discussion.

Marilyn Hotch stated that that the committee will also be looking at a recruitment plan for the airport.

County Administrator Andrew Hart asked Mr. Northgraves if he foresaw the Knox County Airport having such a large fine as the airport that was fined \$99,000.00.

Airport Manager Jeff Northgraves replied that there was no way to know because the FAA does not even know. They do not have it all planned out yet. The FAA is not willing to put numbers out there until they figure out what they are doing. He added that he just wanted to make sure that this discussion took place.

Commissioner Anne Beebe-Center stated that there would need to be more discussion and to also receive public input.

VI. Other Business

There was no other business.

VII. Adjourn

- A motion was made by Commissioner Roger Moody to adjourn the meeting. The motion was seconded by Commissioner Richard Parent. A vote was taken with all in favor.

The meeting adjourned at 6:08 p.m.

Respectfully submitted,

Candice Richards

**The Knox County Commission approved these minutes at their regular meeting
held on May 12, 2009.**

Anne H. Beebe-Center, Chair – Commissioner District #1

Richard L. Parent, Jr. – Commissioner District #2

Roger A. Moody – Commissioner District #3